# Polity & Governance · GS - II

**To what extent can the State regulate public demonstrations without undermining the constitutional freedoms of speech and peaceful assembly?**

| EXAM YEAR | PAPER | SUBJECT |
|---|---|---|
| DAILY PRACTICE 25/11/2026 | GS - II | Polity & Governance |

| MARKS | WORD LIMIT |
|---|---|
| 15 | ~250 words |

## Answer Hint

**Articles 19(1)(a) and 19(1)(b), reasonable restrictions, public order, proportionality, police accountability, judicial review**

## Model Answer

Public demonstrations are an important instrument of democratic participation, enabling citizens to express dissent and hold constitutional authorities accountable. However, the State also has a responsibility to maintain public order and protect the rights of others.

**Constitutional protection**

1. **Freedom of expression:** Article 19(1)(a) protects citizens' right to express political opinions and criticise government institutions.
2. **Peaceful assembly:** Article 19(1)(b) guarantees the right to assemble peaceably and without arms.
3. **Permissible restrictions:** Articles 19(2) and 19(3) allow reasonable restrictions on specified constitutional grounds, including public order.

**Limits on State action**

Restrictions must satisfy legality, necessity and proportionality. A mere possibility of inconvenience or criticism of public authorities cannot automatically justify suppressing peaceful dissent.

Police detention and arrest must follow established legal procedures. Arbitrary detention, excessive force and disproportionate restrictions can violate Articles 14 and 21, besides undermining democratic accountability.

**Institutional safeguards**

1. Police authorities should adopt minimum-force protocols and distinguish peaceful demonstrators from individuals engaging in violence.
2. Restrictions on assemblies should be reasoned, proportionate and subject to periodic review.
3. Independent investigations and judicial remedies should address allegations of unlawful detention or excessive force.
4. Authorities should facilitate designated spaces and channels for peaceful public demonstrations.

A constitutional democracy must preserve both public order and citizens' ability to question authority. Regulation is legitimate only when it protects public interests without unnecessarily extinguishing fundamental freedoms.

BECOME IAS
AI POWERED UPSC PREP